

Commissary Operation Guide

What is a commissary?

A commissary is a facility that is approved as a base of operation for commissary users where food, containers, or supplies are kept, handled, prepared, packaged, or stored and is constructed and operated in compliance with the City and County of Denver's Food Establishment Rules and Regulations.

Who needs a commissary?

A commissary is required for a temporary retail food establishment, mobile retail food establishment, catering operation, or other food operations that need a facility to safely handle, prepare, package, or store food for retail sale to consumers.

Where can a commissary be located?

A commissary must be located within 30 minutes or 30 miles of where the intended area of operation is located or otherwise approved by the Department prior to use.

What makes a facility eligible to act as a commissary?

- A commissary must have adequate equipment and storage for the menu that is going to be prepared unless otherwise provided at the location of operation.
- Amenities that might need to be provided by the commissary include but are not limited to, cooking equipment, cooling equipment, dry storage area, refrigerator space, freezer space, ware washing facilities, clean water, and/or gray water disposal.
- A standalone commissary, restaurant or other approved facility may be a commissary. The approval of the commissary will be decided by the Department after review of the menu and amenities required by the commissary user.

NOTE: A commissary application may be denied if the proposed commissary lacks adequate facilities and equipment to provide necessary services for the commissary user.

The commissary operator's responsibilities include:

1. Maintaining a list of all licensed operators, with their contact information, that operate from the facility;
2. Maintaining copies of the current business licenses of each operator;
3. Maintaining a schedule for each operator's use of the facility;
4. Maintaining a log of each operator's use of the facility, including date and times of use;
5. Maintaining access to locked equipment and storage areas used by operators for access and inspection by the department,
6. Maintaining a copy of the contracts with each operator, including effective dates; and
7. Notifying the department when an operator discontinues utilizing the commissary, as required.

How does the Department recognize a facility as a commissary?

The commissary operator must enter an agreement, for use of their facility, with the commissary user by completing an *Affidavit of Commissary*. The affidavit must be submitted to the department for approval prior to use. The affidavit holds the commissary operator and the commissary user accountable for remaining in compliance with the City and County of Denver's Food Establishment Rules and Regulations.

How often does the Affidavit of Commissary need to be updated?

An Affidavit of Commissary must be updated on an annual basis and is required to obtain or renew the commissary user's business license. If a commissary user chooses to utilize a different commissary at any time, an updated affidavit must be provided to the Department for approval prior to the change of commissary location.

For more information, see Chapter 12 in the [City and County of Denver's Retail Food Establishment Rules & Regulations](#).